

Patent
Serial No. 10/071,005
Attorney Docket No. 9S01.1-040

REMARKS

Remaining Claims

Ten (10) claims (Claims 1-7, 9 and 11-12) remain pending in this application through this Amendment. Claims 1 and 11 have been amended herein, and Claim 10 has been canceled. Applicants respectfully request reconsideration, and that the amendment be entered.

Rejection of Claims 1-7 and 9-12 under 35 USC §103(a) – Kawakita in view of Lebrun et al.

Claims 1-7 and 9-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kawakita (U.S. Patent No. 5,673,395) in view of Lebrun et al. (U.S. Patent No. 5,548,579). The Applicants respectfully traverse this rejection. The statements set forth by the Applicants in the Response filed on August 8, 2005 are incorporated herein, and apply equally to the rejections that the present Response is addressing.

As stated in the Response filed on August 8, 2005, LeBrun et al., a third party requestor contacts a quality-of-service (QoS) allocator, which is connected to a local area network, for the purpose of addressing QoS requirements in a domain of a local area network interconnected by a FDDI segment. Connected to this local area network is, in addition, a multimedia application having a QoS requestor shown in Fig. 2. Thus, LeBrun et al. clearly describes a situation in which there is a central QoS allocator, which distributes network resources in a strictly centralized manner.

In contrast, the last paragraph of Claim 1 clearly states that each network terminating device or each communication device is formed to arrange, together with the interface, which has been allocated to the same, transmission parameters for a transmission via the central data bus for achieving an adaptive service quality. Thus, Claim 1 is directed to a decentralized adaptive service quality determination, while LeBrun et al. describes a strictly central quality of a service control. In LeBrun et al., there is only a single quality of service allocator, while, in accordance with the last paragraph of Claim 1, each network terminating device or each communication device determines, together with the interface,

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transmission parameters for a transmission via the central data bus for achieving an adaptive service quality.

In paragraph 17 of the Office action, the Examiner states:

"In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e. a decentralized adaptive service quality determination) are not recited in the rejected claim(s)." Independent claim 1 has been amended by the amendment being filed herewith to recite, *inter alia*, that the first, second and third interfaces "are arranged for controlling said access ~~to~~by the first, second and third network terminating devices on the central data bus in accordance with a decentralized selection procedure such that guaranteed transmission parameters are guaranteed for a communication between the first, the second and the third network terminating devices via the central data bus...."

This feature of the invention is not taught or suggested by Kawakita or Lebrun *et al*, either taken alone or in combination. For at least this reason, the Applicants respectfully submit that independent claim 1 is patentable over Kawakita in view of Lebrun, *et al*., and respectfully request that the rejection be withdrawn. Because claims 2 – 9, 11 and 12 depend either directly or indirectly from independent claim 1, and incorporate the limitations of claim 1, those claims are also patentable over Kawakita in view of Lebrun, *et al*. Accordingly, the Applicants respectfully request that the rejection of those claims also be withdrawn.

In paragraph 17 of the Office action, the Examiner states: "Although the claimed invention allows the access by the first, second, or third network terminating devices without considering other network terminating devices, nowhere is it claimed that the adaptive QoS is done without considering the other network terminating devices." Independent claim 1 has also been amended to recite, "the service quality for the transmission is determined by the interface based on the individual service requiring the transmission."

This feature of the invention also is not taught or suggested by Kawakita or Lebrun *et al*, either taken alone or in combination. For at least this reason, the

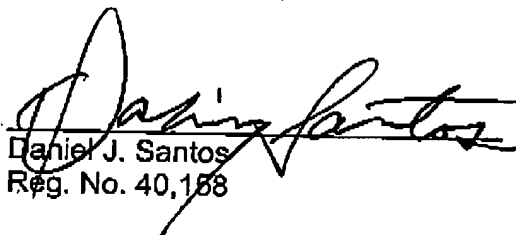
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Applicants respectfully submit that independent claim 1 is patentable over Kawakita in view of Lebrun, *et al.*, and respectfully request that the rejection of claim 1 and of dependent claims 2 – 9, 11 and 12 also be withdrawn.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all pending claims are now in condition for allowance, and Applicants request a Notice of Allowance be issued in this case. Should there be any further questions or concerns, the Examiner is urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,
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